

JS 44 (Rev. 10/20)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Gail Hite

(b) County of Residence of First Listed Plaintiff Philadelphia County  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Matkoff, Shengold, Berman, Goodnow & Associates, P.C.  
1101 Market Street - Suite 2500  
Philadelphia, PA 19107

**DEFENDANTS**

United States Department & United States of America  
of the Interior

County of Residence of First Listed Defendant Philadelphia County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Unknown

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44****Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DESIGNATION FORM**

*(to be used by counsel to indicate the category of the case for the purpose of assignment to the appropriate calendar)*

Address of Plaintiff: 7016 Stenton Avenue, Philadelphia, PA 19150

Address of Defendant: 755 Parfet Street - Suite 151, Lakewood, CO 80215 & Dept. of Justice, 10TH & Constitutional Avenue NW, Washington DC 20530

Place of Accident, Incident or Transaction: 700 Market Street, Philadelphia, PA 19107 (The "Declaration House")

**RELATED CASE IF ANY:**

Case Number: \_\_\_\_\_ Judge: \_\_\_\_\_ Date Terminated \_\_\_\_\_

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- |  |                              |  |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit Pending or within one year previously terminated action in this court?            | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier Numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se case filed by the same individual?   | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is **not** related to any now pending or within one year previously terminated action in this court except as note above.

DATE: 09/25/23

M. London  
Attorney-at-Law (Must sign above)

328852

Attorney I.D. # (if applicable)

**Civil (Place a √ in one category only)**

**A. Federal Question Cases:**

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts)
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Wage and Hour Class Action/Collective Action
- ☐ 6. Patent
- ☐ 7. Copyright/Trademark
- ☐ 8. Employment
- ☐ 9. Labor-Management Relations
- ☐ 10. Civil Rights
- ☐ 11. Habeas Corpus
- ☐ 12. Securities Cases
- ☐ 13. Social Security Review Cases
- ☐ 14. Qui Tam Cases
- ☐ 15. All Other Federal Question Cases. (Please specify): \_\_\_\_\_

**B. Diversity Jurisdiction Cases:**

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☒ 6. Other Personal Injury (Please specify): Premises Liability
- ☐ 7. Products Liability
- ☐ 8. All Other Diversity Cases: (Please specify) \_\_\_\_\_

**ARBITRATION CERTIFICATION**

*(The effect of this certification is to remove the case from eligibility for arbitration)*

I, Michael E. London, Esquire, counsel of record or pro se plaintiff, do hereby certify:



Pursuant to Local Civil Rule 53.2 § 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:



Relief other than monetary damages is sought.

DATE: 09/25/2023

M. London  
Attorney-at-Law (Sign here if applicable)

328852

Attorney ID # (if applicable)

NOTE: A trial de novo will be a jury only if there has been compliance with F.R.C.P. 38.



**MATKOFF, SHENGOLD, BERMAN,  
GOODNOW & ASSOCIATES, P.C.**

By: *Michael E. London, Esquire*

I.D. #: 328852

mlondon@msbglaw.com

1101 Market Street - Suite 2500

Philadelphia, PA 19107

(215) 922 - 6073

Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

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**GALE HITE**

7016 Stenton Avenue

Philadelphia, PA 19150

v.

**THE UNITED STATES DEPARTMENT  
OF THE INTERIOR**

755 Parfet Street – Suite 151

Lakewood, CO 80215

**THE UNITED STATES OF AMERICA**

Department of Justice

10<sup>th</sup> & Constitution Avenue NW

Washington, DC 20530

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**COMPLAINT**

1. Jurisdiction is founded under the Federal Tort Claims Act, 28 U.S.C. Section 1346(b).
2. The Defendant, **THE UNITED STATES DEPARTMENT OF THE INTERIOR**, is a federal agency governed by the laws and statutes of the United States of America.
3. The matter in controversy exceeds the sum of seventy-five-thousand (\$ 75,000.00) Dollars.
4. Not more than six (6) months prior to the filing of this action, the claims set forth herein were denied by **THE UNITED STATES DEPARTMENT OF THE INTERIOR**.

5. The Plaintiff, **GALE HITE**, is an adult individual, a citizen, and a resident of the Commonwealth of Pennsylvania, residing therein at 7016 Stenton Avenue, Philadelphia, PA 19150.
6. The Defendant, **THE UNITED STATES DEPARTMENT OF THE INTERIOR**, is a federal government agency maintaining a principal place of business at 755 Parfet Street – Suite 151, Lakewood, CO 80215.
7. The Defendant, **THE UNITED STATES OF AMERICA**, is the federal government and maintains its principal offices at 10<sup>th</sup> & Constitution Avenue NW, Washington, DC.
8. At all times material hereto, **THE UNITED STATES DEPARTMENT OF THE INTERIOR**, was the owner and was in possession of the premises located at 700 Market Street, Philadelphia, PA 19106, and was responsible for maintenance and care of said Premises.
9. On or about, June 22, 2021 at or around 8:45 A.M., the Plaintiff, **GALE HITE**, was lawfully walking on the side walk adjacent to the premises located at 700 Market Street, Philadelphia, PA 19106, Also known as the “Declaration House”, located at the corner of 7<sup>TH</sup> Street and Market Street, Philadelphia, PA 19107, when she was caused to stumble, trip, and fall due to uneven and unlevelled bricks in the sidewalk, which caused her to sustain serious and permanent injuries more fully set forth herein.
10. As a result of the accident, the Plaintiff, **GALE HITE**, has sustained injuries including but not limited to: full thickness tear of the ACL; partial thickness tear of the PCL; grade IV chondromalacia of the patella; large area of marrow edema in anterior proximal tibia and anterior intercondylar region of the femur; grade IV chondromalacia patella, moderate fluid; bone contusion anterior medial tibial plateau; horizontal tear of medial meniscus; possible future surgery including possible knee replacement surgery; shock and injury to

her nerves, muscular and bones system all of which claims may be permanent or cause a serious and permanent impairment of bodily function and emotional and mental distress and may continue to suffer same.

11. As a further result of the Defendant's negligence, the Plaintiff, **GALE HITE**, has in the past and may in the future experience great mental, physical and emotional pain and suffering and other non-economic losses.
12. As a further result of the Defendant's negligence, the Plaintiff, **GALE HITE**, has in the past and may in the future be prevented from attending to her usual activities, duties, and occupations to her great financial detriment and loss.
13. As a further result of the Defendant's negligence, the Plaintiff, **GALE HITE**, has in the past and may in the future be caused to suffer from worry, anxiety, apprehension, and frustration.
14. As a further result of the Defendant's negligence, the Plaintiff, **GALE HITE**, has in the past and may in the future suffer from humiliation, embarrassment, and degradation.
15. As a further result of the Defendant's negligence, the Plaintiff, **GALE HITE**, has in the past and may in the future be caused to suffer loss of the pleasures and enjoyments of life.
16. As a further result of the Defendant's negligence, the Plaintiff, **GALE HITE**, has in the past and may in the future suffer loss of earnings and/or earning capacity to her great financial detriment and loss.
17. To date, as a result of the aforementioned accident, Plaintiff, **GALE HITE**, has incurred medical expenses.
18. As a further result of the Defendant's negligence, the Plaintiff, **GALE HITE**, has in the past incurred and may in the future continue to incur medical expenses in an endeavor to

treat and cure herself of the injuries sustained in the aforesaid accident, for which a claim is hereby made.

**COUNT I**  
**GALE HITE V. THE UNITED STATES DEPARTMENT OF THE INTERIOR**

19. The Plaintiff, **GALE HITE**, hereby incorporates one through eighteen as though same were fully set forth herein, at length and in full.
20. The Defendant, **THE UNITED STATES DEPARTMENT OF THE INTERIOR**, owed a duty of care to Plaintiff, **GALE HITE**, and violated said duty of care by the following negligent and careless acts:
  - a. Failure to regard the point, position and safety of Plaintiff;
  - b. Failure to maintain the aforesaid Premises in a safe manner for those lawfully upon said premises;
  - c. Failure to properly, adequately and timely fix the sidewalk to make the Premises safe;
  - d. Failure to warn the Plaintiff of the aforesaid dangerous condition of which the Defendant knew or could and should have known in time to have remedied same;
  - e. Failure to barricade and inspect; and
  - f. Failure to properly hire, train and/or instruct Defendant's agents, servants, workmen or employees.

**WHEREFORE**, the Plaintiff, **GALE HITE**, demands judgement against the Defendant, **THE UNITED STATES DEPARTMENT OF THE INTERIOR**, in an amount not in excess of Arbitration limits.

**COUNT II**  
**GALE HITE V. THE UNITED STATES OF AMERICA**

21. The Plaintiff, **GALE HITE**, hereby incorporates one through twenty as though same were fully set forth herein, at length and in full.

22. The Defendant, **THE UNITED STATES OF AMERICA**, owed a duty of care to Plaintiff, **GALE HITE**, and violated said duty of care by the following negligent and careless acts:
- a. Failure to regard the point, position and safety of Plaintiff;
  - b. Failure to maintain the aforesaid Premises in a safe manner for those lawfully upon said premises;
  - c. Failure to properly, adequately and timely fix the sidewalk to make the Premises safe;
  - d. Failure to warn the Plaintiff of the aforesaid dangerous condition of which the Defendant knew or could and should have known in time to have remedied same;
  - e. Failure to barricade and inspect; and
  - f. Failure to properly hire, train and/or instruct Defendant's agents, servants, workmen or employees.

**WHEREFORE**, the Plaintiff, **GALE HITE**, demands judgement against the Defendant, **THE UNITED STATES OF AMERICA**, in an amount not in excess of Arbitration limits.

Respectfully Submitted,

**MATKOFF, SHENGOLD, BERMAN,  
GOODNOW & ASSOCIATES, P.C.**



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MICHAEL E. LONDON, ESQUIRE

*Attorney for Plaintiff, Gale Hite*

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I.D. #: 328852

1101 Market Street – Suite 2500

Philadelphia, PA 19107

(215) 922 – 6073

(215) 922 – 5787 (fax)



VERIFICATION

I hereby verify that the statements set forth in the foregoing pleading are true and correct to the best of his knowledge, information and belief.

The foregoing statements are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

X/ John H. Hite

(11)